

MINUTES
SANDY CITY COUNCIL MEETING
Sandy City Hall - Council Chamber Room #211
10000 Centennial Parkway
Sandy, Utah 84070

January 23, 2007

Meeting was commenced at 7:05 p.m.

PRESENT:

Council Members: Chairman Dennis Tenney, Vice Chairman Bryant Anderson, Scott Cowdell, Steve Fairbanks, Chris McCandless, Linda Martinez Saville, and Stephen Smith

Mayor: Tom Dolan

Others in Attendance: CAO Byron Jorgenson; Community Development Director Mike Coulam; Public Works Director Rick Smith; Deputy to the Mayor John Hiskey; Parks & Recreation Director Nancy Shay; Assistant CAO Scott Bond; Council Office Director Phil Glenn; Council Executive Secretary Pam Lehman

ABSENT/EXCUSED:

Scott Cowdell [Out of Town]

Chris McCandless [Business]

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by **Boy Scout Cassinni Kinikini** of Troop #835, and the Pledge was led by **Kean Bennett**, also of Troop #835.

2. **CITIZEN(S) COMMENTS:**

- a. **Clifford Gibson**, 9725 Kristen Drive, expressed concern regarding a crosswalk located near the entrance of Dewey Bluth Park and Kristen Drive, just below 300 East. Mr. Gibson stated that he has almost been hit while attempting to cross the street. He feels that drivers are unaware that the cross walk exists. He asked if flashing lights could be installed to warn drivers of the pedestrian crossing.

Public Works Director Rick Smith reported that the Police Department, along with the City Traffic Engineer, conducts studies to determine the volume of traffic and pedestrian use on crosswalks in the City. Only school crosswalks have flashing lights and crossing guards if they are warranted in high traffic areas.

Dennis Tenney asked Rick Smith and Police Chief Chapman to meet with Mr. Gibson to address his concern.

Mayor Dolan stated that having additional visible enforcement along 9800 South may also help people to slow down.

Chairman Tenney closed Citizen Comments.

PUBLIC HEARING(S):

3. **Ryan Button Rezoning**

Public Hearing to consider the request of Mr. Ryan Button of RBH Sandstone, LLC, is requesting to rezone approximately 11 acres from the CC "Community Commercial District" to the MU "Mixed Use District". The property is located at approximately 9235 South 700 East. The subject property is split by 700 East with almost equal amounts on both sides. The subject property on the eastside of 700 East is vacant and on the westside is the Sandy Hills Shopping Center. The applicant is proposing to develop a mixed use development with a residential component on the eastside of 700 East and a commercial component on the westside of 700 East. The commercial component on the west side would include redeveloping the Sandy Hills Shopping Center.

DISCUSSION: **Planning Director James Sorensen** reported that Mr. Ryan Button of RBH Sandstone, LLC, is requesting to rezone approximately 11 acres from the CC "Community Commercial District" to the MU "Mixed Use District". The property is located at approximately 9235 South 700 East. The subject property is split by 700 East

with almost equal amounts on both sides. The subject property on the eastside of 700 East is vacant and on the westside is the Sandy Hills Shopping Center. The applicant is proposing to develop a mixed-use development with a residential component on the eastside of 700 East and a commercial component on the westside of 700 East. The commercial component on the westside would include redeveloping the Sandy Hills Shopping Center.

On the eastside of 700 East the subject property is bordered by commercial to the south, west and R-1-8 to the north and east. The subject property on the westside of 700 East is bordered by commercial on all sides except to the west, which will be the future Villas at the Rose Gardens residential development. The applicant is representing the property owner who has given authorization for the rezoning.

ANALYSIS

The purpose of a mixed use zone is to provide a zone to be used near city transportation corridors that allows a mix of specific land uses that are typically found separately in >mutually exclusive= zoning districts. Mixed use represents a departure from characteristic zoning to the extent that it encourages a combination of land uses, which might normally be regarded as incompatible. The **intent of the mixed use zone**, through the **development of a master site plan** is to create self-sustaining villages that become pedestrian friendly neighborhoods, in which residents may walk to work, to shopping, to recreational facilities, and have access to mass transit. These neighborhoods would provide a variety of housing opportunities and choices that include a range of household types, family sizes, and incomes. They would also **provide convenient pedestrian commercial services, employment opportunities**, and should be located in areas with existing, or probable future, multiple transportation choices.

Under the proposed MU Zone an opportunity would be available for the applicant to develop horizontal or vertical mixed use. The applicant is proposing to develop a project that will incorporate a horizontal mixed-use project. The proposed development will be designed in a **>village= manner** allowing the mixed uses to be within close proximity to each other.

The proposed project would provide owner occupied housing, convenient commercial services and employment opportunities that would be located in an area with existing multiple transportation choices. **This type of project under the MU Zone would also support and act as a catalyst for both existing and future commercial and retail tax base growth in the area, while at the same time reducing vehicular trips.**

The MU Zone would be an appropriate zone for the subject property. Part of the subject property has limited access and frontage along 700 East that is generally needed for typical retail businesses. Therefore, the residential portion of the mixed-use project would be located in the areas with limited access and frontage. The retail businesses developed under the MU Zone would be on the westside of 700 East that has better access and frontage along 700 East. The retail would be supported with nearby residents and also by those who come from other locations to shop and enjoy the unique atmosphere this type of development would provide.

The Sandy Corners Master Plan which addresses the proposed land uses for this area states the following:

Develop additional pad sites in the Sandy Corners area as a mix of retail and office space following the principles of a mixed-use development@.

Add more residential land uses to the Sandy Corners area to promote mixed use. A range of residential types of housing should be explored for existing vacant properties within the Sandy Corners Study Area. While all housing options including, medium density single family lots, higher density single family lots, townhomes, condominiums, and multi-family housing should be considered, any proposed housing should reflect the existing character of surrounding neighborhoods.

The proposed development could offer an opportunity for a neighborhood within walking distance or by bus service to the light rail stations at 9000 South and 9400 South as well as neighborhood retail and services. A young couple, for example, could live near a transit station and live very comfortable with only one car. An aging resident

1. The proposed rezoning is in harmony with the goals of the Housing Element of the General Plan in providing a variety of housing types and choices. The Sandy Corners Master Plan also recommends that the subject property be considered for a mixed use type development.
2. The proposed project would provide housing, convenient commercial services and employment opportunities that would be located in an area with existing multiple transportation choices.
3. This type of project under the MU Zone would also support and act as a catalyst for both existing and future commercial and retail tax base growth in the area, while at the same time reducing vehicular trips.
4. The actual built density for the subject property or any proposed development is based on the final site plan approval and how compatible the proposed development is with the physical layout of the property and all city ordinances.
5. Development of a high quality project would be required under the proposed MU District as it would require Planning Commission review.
- 5.1 The proposed Master Site Plan complies with the requirements of the MU Zone in that a Master Site Plan has been developed for the area of 9400 South and 700 East. The applicant does not control all of the area in the proposed Master Site Plan, but has developed the plan to show how all the adjacent properties can be redeveloped in the future to compliment each other and comply with the guidelines in the Sandy Corners Master Plan.

Tim Soffe, of ASWN + Architects, 5151 South 900 East, reported that a very constructive community meeting was held with the surrounding residents affected by the proposed development. He stated that as developers, they were able to listen and address the concerns of the residents. A power point presentation was given explaining the mixed use elements which would include a residential community on the east side of 700 East, and a commercial element on the west side with the demolition of the existing Sandy Hills Shopping Center that will be redeveloped with new commercial.

Chairman Tenney opened the Public Hearing.

Sharon Johnson, 9188 Scirlein Drive, expressed concern over the impact the proposed mixed use development could have on her property. Her home is located at the proposed main entrance into the development. She indicated that Mr. Button stated that they would be willing to landscape her corner lot to help minimize the impact on her property. She stated that she was not opposed to town homes being built behind her home if the promised landscaping was provided.

Dennis Tenney asked Mr. Button, who was sitting in the audience, if they would be willing to add additional landscaping as a buffer to minimize impacts on Mrs. Johnson's property.

Mr. Button nodded his head and said "yes".

As there were no further comments, Chairman Tenney closed the Public Hearing.

Steve Smith asked why the mixed use zone was proposed for this development.

James Sorensen reported that both the east and west sides of this proposed development are tied together. Planning Staff felt that the mixed use zone would provide the proper type of commercial development, street frontage, necessary buffering, and landscape requirements that are needed along 700 East. He stated that one of the most critical factors to this rezone is how 700 East will be developed commercially.

Steve Smith inquired on what the differences were between the Mixed Use Zone and the Community Commercial District.

James Sorensen reported that the mixed use zone requires additional landscaping, design requirements, frontage requirements, and building elevations that do not come standard with a PUD Zone. Planning Staff felt that the mixed use zone would help to create a village style setting for the development.

Steve Smith stated that he also believes that the mixed use zone would help to soften impacts on surrounding residential areas, and provide a pedestrian friendly environment.

Bryant Anderson asked, "if the mixed use zone is approved, would the Council still be able to express their opinions on the development proposed for the Sandy Corner's area". He also expressed concern over how the mixed use zone would provide for commercial development to blend in with residential once the Sandy Corners area develops.

James Sorensen stated that the mixed use zone requires that a master plan of the project be submitted for review by the Planning Staff in order to make certain that the proposal fits into the mixed use zone. The mixed use zone is one of the only zones that has this requirement. Once the master plan has been approved, the Planning Commission would review all site plan issues for the Sandy Corners area.

MOTION: **Steve Fairbanks** made the motion to have formal documents brought back to adopt the Ryan Button Rezoning, to rezone approximately 11 acres from the CC "Community Commercial District" to the MU "Mixed Use District", located at approximately 9235 South 700 East.

SECOND: **Steve Smith**

VOTE: **Fairbanks- Yes, Smith- Yes, McCandless- Absent, Cowdell- Absent, Saville- Yes, Anderson-Yes, Tenney - Yes**

Motion Approved: 5 in favor - 2 absent

COUNCIL ITEMS:

4. **Canceling the January 30, 2007 City Council Meeting [Awards Banquet]**
Resolution #07-08 C - canceling the January 30, 2007 City Council Meeting.

MOTION: **Steve Fairbanks** made the motion to adopt **Resolution #07-08 C**, canceling the January 30, 2007 City Council Meeting.

SECOND: **Steve Smith**

VOTE: **Fairbanks- Yes, Smith - Yes, Anderson - Yes, McCandless - Absent, Cowdell- Absent, Saville- Yes, Tenney- Yes**

Motion Approved: 5 in favor - 2 absent

5. **Letters to Congressional Delegation Regarding Opposition To Proposed Unsolicited Merger with Delta Airlines**

DISCUSSION: Council Office Director **Phil Glenn** asked the Council if they had any additions or changes they would like made to the two letters, that were under separate cover in their packets, regarding opposition to the proposed unsolicited merger with Delta Airlines. Mr. Glenn noted that, with the Council's approval, he would go ahead and send the letters to the proper officials.

MOTION: **Steve Fairbanks** made the motion directing that the letters be signed and sent to Senator Bennet and Senator Orrin Hatch, on behalf of the Council, regarding their opposition to the proposed unsolicited merger with Delta Airlines.

SECOND: **Steve Smith**

VOTE: **Fairbanks -Yes, Smith- Yes, McCandless- Absent, Cowdell- Absent, Saville- Yes, Anderson-Yes, Tenney- Yes**

Motion Approved: 5 in favor - 2 absent

6. **Amending Extraterritorial Water Policy**
Resolution #07-07 C - amending Extraterritorial Water Policy.

DISCUSSION: Contract Attorney **Pat Casaday** presented a brief update on the changes and clarifications made to the Extraterritorial Water Policy, and asked the Council if they had any questions.

As there were no questions, **Steve Smith** made the following motion.

MOTION: **Steve Smith** made the motion to adopt **Resolution #07-07 C**, amending the Extraterritorial Water Policy.

SECOND: **Bryant Anderson**

VOTE: **Smith- Yes, Anderson- Yes, McCandless - Absent, Cowdell- Absent, Fairbanks- Yes, Saville- Yes, Tenney- Yes**

Motion Approved: 5 in favor- 1 absent

MINUTES

7. Approving the **January 9, 2007**, and the **January 16, 2007** City Council Meeting Minutes.

MOTION: **Bryant Anderson** made the motion to amend the **January 9, 2007** City Council Meeting Minutes, and approve the **January 16, 2007** City Council Meeting Minutes as written.

SECOND: **Steve Smith**

VOTE: **The Council responded verbally in the affirmative to the motion.**

8. **MAYOR'S REPORT**

a. **Mayor Dolan** reported that Thursday, March 1st, and Friday, March 2nd, have been scheduled for the Administration's retreat in Midway. Mayor Dolan invited the Council and their spouses to attend. He noted that health care and career transitions would be discussed.

b. **Mayor Dolan** complimented staff for the outstanding Budget Retreat that was held earlier in the day at the River Oaks Golf Course.

- c. **Mayor Dolan** reported on several bills before the Legislature. One in particular, allowing school districts to appoint an extra member to the board. He also reported that West Valley City is proposing a bill that would increase parking rates at the E-Center from \$1.00 to \$5.00 a vehicle. The Mayor noted that this bill, if passed, could be a benefit to Sandy regarding the proposed Soccer Stadium and parking concerns.
- d. **Mayor Dolan** noted that the Utah League of Cities is working to remove the cap from the B&C Road Funds apportionment, and that the bill pertaining to restaurant taxes is also moving forward.

9. **CAO'S REPORT**

- a. **Parks and Recreation Director Nancy Shay** updated the Council on possible sites for the new Parks and Recreation building. She informed the Council that the number one site, based on land value and user demographics, was in the Alta Canyon area. It has been determined that a Community Center located in that area of the city would better serve the populous. **Mayor Dolan** and **Nancy Shay** asked for three Council members who would be willing to serve on a committee for the new parks facility. **Steve Fairbanks, Bryant Anderson**, and **Dennis Tenney** agreed to sit on the committee.

10. **COUNCIL OFFICE DIRECTOR'S REPORT**

- a. **Phil Glenn** presented a copy of the monthly calendar to the Council reminding them of the Annual Awards Banquet scheduled for Tuesday, January 30th, at the Expo Center. Mr. Glenn presented copies of the Council's W-4 forms to them. He also reminded the Council of the upcoming NLC Washington D.C. Conference, asking those that are interested in participating to please inform the Council Office so that reservations for the conference and hotel can be reserved for them. Also, Economic Development Director Randy Sant indicated that he would provide copies of the EDA Study regarding the REAL Soccer Stadium.

11. **OTHER COUNCIL BUSINESS**

- a. **Steve Smith** informed the Council that he had a conflict in attending the Sister Cities Committee Meetings since they are scheduled on Thursday evenings, the same time as Planning Commission. He asked if any of the Council would be willing to fill in for him on this committee. **Linda Martinez Saville** stated that she would be willing to serve on the committee.
- b. **Steve Smith** reported that the Planning Commission has adopted a recommended resolution to change the ordinance regarding check cashing businesses. This ordinance will be forthcoming to the Council for their approval. **Mr. Glenn** noted that the Council has a field trip scheduled for February 13th, to tour Pay Day/Check Cashing Facilities.
- c. **Steve Smith** reported that the site plan review on Real Salt Lake will be held with the Planning Commission on Thursday, February 1st. One issue of importance that the Planning Commission will be addressing is revisions to the ordinance that would allow on street parking near the stadium.

Mike Coulam stated that REAL would be required to present a parking management plan for the proposed site. Mr. Coulam noted that this requirement will help avoid the dilemma the City faced when Jordan Commons was built, and residents came out in opposition to any parking on residential streets. Another possibility is asking the Traffic Engineer to review options of shared parking with surrounding businesses.

Steve Smith stated that it would be nice to be able to give the Planning Commission a consensus from the Council regarding their concerns with proposed on street parking for the soccer stadium prior to any formal decisions being made. He felt it would be best for the Council to be up-front with the Planning Commission on their position.

Mayor Dolan stated that a good alternative would be to have a parking garage built in conjunction with the soccer stadium.

- d. **Dennis Tenney** complimented Steve Smith, who is the Council Liaison to the Planning Commission, for the updates he presents to the Council from the Planning Commission meetings. He noted, however, that the parking analysis is a Planning Commission responsibility, and that the Council should not intrude.
- e. **Dennis Tenney** requested that a review of the Council Goals be scheduled for an upcoming Planning Meeting within the next few weeks.

At approximately 8:20 p.m., Steve Fairbanks made a motion to adjourn Council Meeting, motion seconded by Steve Smith .

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Dennis B. Tenney
Council Chairman
xm012307.min

Pam Lehman
Council Executive Secretary